IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICITON

INCOME TAX APPEAL (L) NO.952 OF 2005

The Commissioner of Income Tax-3 .. Applicant.
Versus
M/s.Biraaj Textiles Trading Pvt.Ltd. .. Respondent.

Mr.B.M. Chatterjee with Mrs.P.P. Bhosalefor the applicant.

Mr.J.D. Mistry with Mr.Raj Darak for the respondent.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 3RD SEPTEMBER, 2007.

**P.C. :**

1. As the tax incidence is less than Rs.4,00,000/- and in the light of Board's circular, learned counsel for the appellant seeks leave to withdraw the appeal. Question of law, if any, left open for consideration in other appropriate case.

2. Appeal dismissed as withdrawn. Refund of Court fee as per rules. Certified copy expedited.

(J.P. DEVADHAR, J.) (F.I. REBELLO, J.)